



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Contact: Jeff Lungren/Terry Shawn
202-225-2492

Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #7

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted the seventh of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

PATRIOT Act Conference Report Civil Liberty Safeguard #7 – Requiring Public Reporting of the Number of Section 215 Orders:

Section 215 of the PATRIOT Act authorizes the Director of the Federal Bureau of Investigation or a designee of the Director to apply to the Foreign Intelligence Surveillance Act (FISA) Court for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for a foreign terrorism or spy investigation. This authority provides counterterrorism and law enforcement officials a helpful and less invasive tool to both uncover what activities suspected terrorists or spies are engaged in and clear innocent people suspected of terrorism or spying.

On April 6, 2005, Attorney General Alberto Gonzales testified before the House Judiciary Committee that as of March 30, 2005, the FISA Court had approved the Justice Department's request for a Section 215 order 35 times. However, under current law, the number of Section 215 orders is not required to be made public. **At the request of Senator Leahy and other Senate Democratic conferees, the PATRIOT Act conference report requires the Justice Department to report to the public annually the aggregate number of Section 215 applications submitted, approved, modified, and denied.** Despite the concerns of some that this public reporting requirement unnecessarily informs America's enemies of the sources and methods being used to thwart terrorism and spying, the conference reports includes this civil liberty safeguard to assuage any concerns that the Section 215 authority is being abused. This civil liberty safeguard contained in the conference report does not exist under current law.

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